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04-29-04

1647

PTO/SB/21 (08-03)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/724,319
		Filing Date	November 27, 2000
		First Named Inventor	Schenk, Dale B.
		Art Unit	1647
		Examiner Name	Christopher J. Nichols
Total Number of Pages in This Submission	16	Attorney Docket Number	15270J-004743US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (5 pps) PTO/SB/08A (2 pps) PTO/SB/08B (7 pps) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of cited references 407-443 Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Rosemarie L. Celli Reg. No. 42,397
Signature	
Date	April 27, 2004

CERTIFICATE OF MAILING		
Express Mail Label: EV 338 446 229 US I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date April 27, 2004 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450		
Typed or printed name	Ron Anton	
Signature		Date April 27, 2004

The PTO did not receive the following listed item(s) - Fee Transmittal - No Fee Attached



PATENT

Attorney Docket No.: 15270J-004743US

Client Reference No.: 209-US-CIP5C3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Dale B. Schenk

Application No.: 09/724,319

Filed: November 27, 2000

For: PREVENTION AND TREATMENT
OF AMYLOIDOGENIC DISEASE

Examiner: Christopher J. Nichols

Art Unit: 1647

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of reference numbers 304-406 can be found in Application No. 09/322,289, filed May 28, 1999 (Attorney Docket No. 15270J-004740US). Copies of reference numbers 407-443 are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicant also cites commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98 issue fee paid on 10/07/03;

09/497,553 filed 02/03/00;

09/724,477 filed 11/28/00 issue fee paid on 10/07/03;

09/723,927 filed 11/28/00 issue fee paid on 10/07/03;

09/723,762 filed 11/28/00 issue fee paid on 10/07/03;

09/724,102 filed 11/28/00 issue fee paid on 10/07/03;
09/724,489 filed 11/28/00 issue fee paid on 10/07/03;
10/816,022 filed 03/31/04;
10/816,529 filed 03/31/04;
10/815,391 filed 03/31/04;
10/815,353 filed 03/31/04;
15270J-004736US filed 03/31/04;
10/815,404 filed 03/31/04;
09/322,289 filed 05/28/99;
09/723,713 filed 11/27/00;
09/723,760 filed 11/27/00;
09/724,319 filed 11/27/00;
09/723,384 filed 11/27/00 issued as U.S. 6,710,226 on 03/23/04;
09/724,495 filed 11/27/00;
10/788,666 filed 02/27/04;
10/429,216 filed 05/30/03;
09/580,015 filed 05/26/00;
09/724,940 filed 11/28/00;
09/724,961 filed 11/28/00 issue fee paid on 02/26/04;
09/580,018 filed 05/26/00 issue fee paid on 02/26/04;
09/724,552 filed 11/28/00 issue fee paid on 02/26/04;
09/723,544 filed 11/28/00;
09/724,273 filed 11/28/00;
09/724,551 filed 11/28/00; issue fee paid on 02/26/04;
09/724,288 filed 11/28/00;
10/777,792 filed 02/11/04;
15270J-004767US filed 04/12/04;
09/580,019 filed 05/26/00;
09/723,765 filed 11/28/00;
09/724,291 filed 11/28/00;

09/724,929 filed 11/28/00;
09/585,817 filed 06/01/00;
09/724,567 filed 11/28/00 notice of allowance mailed 03/02/04;
09/724,575 filed 11/28/00;
09/724,953 filed 11/28/00 notice of allowance mailed 03/11/04;
09/724,570 filed 11/28/00;
09/585,656 filed 06/01/00;
09/723,766 filed 11/27/00;
09/723,725 filed 11/27/00;
09/579,690 filed 05/26/00;
09/979,701 filed 03/13/01 (U.S. Nat'l Stage of PCT/US00/14810 filed 05/26/00);
09/979,952 filed 04/04/02 (U.S. Nat'l Stage of PCT/US00/15239 filed 06/01/00);

and,

09/980,568 filed 03/12/02 (U.S. Nat'l Stage of PCT/US00/15302 filed 06/01/00).

Applicant also cites the following copending applications directed to related subject matter but subject to different assignment:

10/010,942 filed 12/06/01;
10/789,273 filed 2/27/04;
10/232,030 filed 08/30/02;
10/388,389 filed 03/12/03
10/703,713 filed November 7, 2003
10/704,070 filed November 7, 2003
10/388,214 filed 03/12/03;
60/474,654 filed 05/30/03;
60/530,481 filed 12/17/03; and,
10/771,174 filed 02/04/04.

Applicant further cites the following commonly owned abandoned applications directed to related subject matter:

60/067,740 filed 12/02/97;

60/080,970 filed 04/07/98;
60/067,219 filed 12/03/97;
60/079,697 filed 03/27/98;
09/204,838 filed 12/03/98;
09/724,921 filed 11/28/00;
60/137,010 filed 06/01/99;
60/251,892 filed 12/6/00;
60/137,047 filed 06/01/99; and,
60/136,655 filed 05/28/99.

Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

60/251,892 filed 12/06/00;
60/444,150 filed 02/01/03; and,
60/363,751 filed 03/12/02.

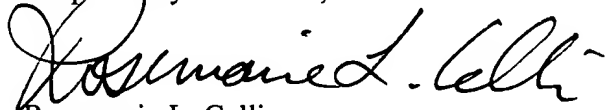
Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

60/067,219 filed 12/03/97;
60/079,697 filed 03/27/98;
09/204,838 filed 12/03/98;
09/724,921 filed 11/28/00; and,
09/724,929 filed 11/28/00.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

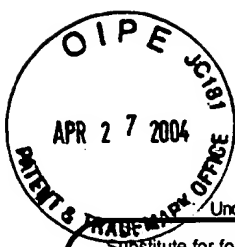
Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rosemarie L. Celli". The signature is fluid and cursive, with a large initial "R" and a long horizontal stroke extending to the right.

Rosemarie L. Celli
Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP
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RLC:crf



PTO/SB/08A (10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 9

Complete if Known

Application Number	09/724,319
Filing Date	November 27, 2000
First Named Inventor	Schenk
Art Unit	1647
Examiner Name	Nichols
Attorney Docket Number	15270J-004743US

U.S. PATENT DOCUMENTS

Examiner	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	442	6,713,450 B2	03-30-2004	Frangione et al.	
	415	2003/0166558 A1	09-04-2003	Frangione et al.	
	431	2003/0165496 A1	09-04-2003	Basi et al.	
	432	6,562,341 B2	05-13-2003	Prusiner et al.	
	360	2003/0073655 A1	04-17-2003	Chain	
	370	2003/0068325 A1	04-10-2003	Wang	
	440	2003/0068316 A1	04-10-2003	Klein et al.	
	378	2002/0197258 A1	12-26-2003	Ghanbari et al.	
	366	2002/0187157 A1	12-12-2002	Jensen et al.	
	377	2002/0168377 A1	11-14-2002	Schaetzl	
	340	2002/0162129 A1	10-31-2002	Lannfelt	
	395	2002/0160394 A1	10-31-2002	Wu	
	326	2002/0136718 A1	09-26-2002	Raso	
	379	2002/0132268 A1	09-19-2002	Chang et al.	
	365	2002/0133001 A1	09-19-2002	Gefter et al.	
	325	2001/0102261 A1	08-01-2002	Raso	
	362	2002/0094335 A1	07-18-2002	Chalifour et al.	
	306	6,417,178 B1	07-09-2002	Klunk et al.	
	376	2002/0086847 A1	07-04-2002	Chain	
	405	6,399,314 B1	06-04-2002	Krishnamurthy	
	342	2002/0009445 A1	01-24-2002	Du et al.	
	416	6,303,567 B1	10-16-2001	Findeis et al.	
	381	2001/0021769 A1	09-13-2001	Prusiner	
	401	6,284,533 B1	09-04-2001	Thomas	
	345	2002/0077288 A1	06-21-2001	Frangione	
	417	5,985,242	11-16-1999	Findeis et al.	
	346	5,935,927	08-10-1999	Vitek et al.	
	382	5,846,533	12-08-1998	Prusiner	
	321	5,837,672	11-17-1998	Schenk et al.	
	353	5,824,322	10-20-1998	Balasubramanian	
	357	5,776,468 B1	07-07-1998	Hauser et al.	
	380	5,750,361	05-12-1998	Prusiner et al.	

Examiner Signature	Date Considered
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¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 9

Complete if Known

Application Number	09/724,319
Filing Date	November 27, 2000
First Named Inventor	Schenk
Art Unit	1647
Examiner Name	Nichols
Attorney Docket Number	15270J-004743US

	373	5,721,130	02-24-1998	Seubert et al.	
	356	5,622,701	04-22-1997	Berg	
	320	5,593,846	01-14-1997	Schenk et al.	
	358	5,583,112 B2	12-10-1996	Kensil et al.	
	403	5,464,823	11-07-1995	Lehrer et al.	
	402	4,713,366	12-15-1987	Stevens	

U.S. PATENT DOCUMENTS

Examiner	Cite No. ¹	Document Number Number Kind Code ² (if known)	Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	305	09/724,842	11-28-2000	Chalifour et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	343	EP	1 172 378	A1	01-16-2002			
	441	WO	03/104437	A2	12-18-2003			
	443	WO	03/074081	A1	09-13-2003			
	433	WO	03/020212	A2	03-13-2003			
	351	WO	02/34878	A2	05-02-2002			
	352	WO	02/34777	A1	05-02-2002			
	341	WO	02/03911	A2	04-07-2001			
	344	WO	01/90182	A2	11-29-2001			
	348	WO	01/77167	A2	10-18-2001			
	322	WO	00/72880	A2, A3	12-07-2000			
	323	WO	00/72876	A2, A3	12-07-2000			
	324	WO	00/72870	A1	12-07-2000			
	331	WO	99/06545	A2	11-02-1999			
	383	WO	97/10505	A1	03-20-1997			

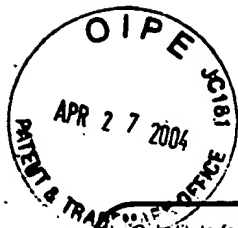
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	09/724,319
		Filing Date	November 27, 2000
		First Named Inventor	Schenk
		Art Unit	1647
		Examiner Name	Nichols
Sheet 3 of 9	Attorney Docket Number	15270J-004743US	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	391	AGUZZI et al., "Prion research: the next frontiers," <u>Nature</u> , 389:795-798 (1997).	
	393	AKIYAMA et al., "Inflammation and Alzheimer's disease," <u>Neurobiology of Aging</u> , 21:383-421 (2000).	
	372	AKIYAMA et al., "Occurrence of the Diffuse Amyloid β -Protein (A β) Deposits With Numerous A β -Containing Glial Cells in the Cerebral Cortex of Patients With Alzheimer's Disease," <u>Glia</u> , 25:324-331 (1999).	
	404	BENJAMINI and LESKOWITZ, from <u>IMMUNOLOGY A Short Course</u> , Second Edition, Chapter 4, Antibody Structure, pages 49-65, 1991, published by Wiley-Liss, Inc., New York, New York.	
	418	BORK, P., "Powers and Pitfalls in Sequence Analysis: The 70% Hurdle," <u>Genome Research</u> , 10:398-400 (2000)	
	419	BORK et al., "Go hunting in sequence databases but watch out for the traps," <u>Trends in Genetics</u> , 12(10):425-427 (1996).	
	420	BRENNER, S. E., "Errors in genome annotation," <u>Trends in Genetics</u> , 15(4):132-133 (1999).	
	421	CASTILLO et al., "Amylin / Islet Amyloid Polypeptide: Biochemistry, Physiology, Patho-Physiology," <u>Diabete & Metabolisme (Paris)</u> , 21:3-25 (1995).	
	349	CHECK, "Battle of the Mind," <u>Nature</u> , 422:370-372 (March 2003).	
	332	CHEN et al., "Neurodegenerative Alzheimer-like pathology in PDAPP 717V→F transgenic mice," <u>Progress in Brain Research</u> , Van Leeuwen et al. Eds, 117:327-337 (1998).	
	307	CHEN et al., "A learning deficit related to age and beta-amyloid plaques in a mouse model of Alzheimer's disease," <u>Nature</u> , 408(6815):975-9 (2000).	
	333	CONWAY et al., "Acceleration of oligomerization, not fibrillization, is a shared property of both α -synuclein mutations linked to early-onset Parkinson's disease: Implications for pathogenesis and therapy," <u>PNAS</u> , 97(2):571-576 (2000)	
	412	DAS et al., "Amyloid- β Immunization Effectively Reduces Amyloid Deposition in FcR γ Knock-Out-Mice," <u>J. Neuroscience</u> , 23(24):8532-8538 (2003).	

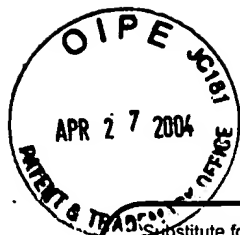
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
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Sheet

4

of

9

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Application Number	09/724,319
Filing Date	November 27, 2000
First Named Inventor	Schenk
Art Unit	1647
Examiner Name	Nichols
Attorney Docket Number	15270J-004743US

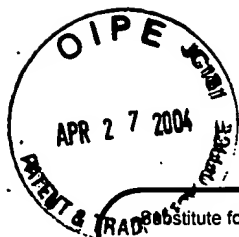
436	DICKSON et al., "Neuroimmunology of Alzheimer's disease: a conference report," <u>Neurobiology of Aging</u> , 13(6):793-798 (1992), abstract only
390	DIOMEDE et al., "Activation effects of a prion protein fragment [PrP-(106-126)] on human leucocytes," <u>Biochem. J.</u> , 320:563-570 (1996).
363	DODART, "Immunotherapy for Alzheimer's disease: will vaccination work?" <u>Trends in Molecular Medicine</u> , 9(3):85-87 (2003).
422	DOERKS et al., "Protein annotation: detective work for function prediction," <u>Trends in Genetics</u> , 14(6):248-250 (1998).
318	DU et al., "Reduced levels of amyloid beta-peptide antibody in Alzheimer disease," <u>Neurology</u> , 57(5):801-5 (2001).
407	ECK et al., <i>Goodman and Gilman's The pharmacological basis of therapeutics</i> , Chapter 5, pages 77-101 (1996)
328	FELSENSTEIN et al., "Transgenic Rat and In-Vitro Studies of B-Amyloid Precursor Protein Processing," <u>Alzheimer's and Parkinson's Diseases</u> , Hanin et al. Ed., pp 401-409, Plenum Press, New York, (1995).
423	FONSECA et al., "The Presence of Isoaspartic Acid in β -Amyloid Plaques Indicates Plaque Age," <u>Experimental Neurology</u> , 157(2):277-288 (1999).
386	FRAUTSCHY et al., "Effects of injected Alzheimer β -amyloid cores in rat brain," <u>PNAS</u> , 88:8362-8366 (1991).
364	FURLAN et al., "Vaccination with amyloid- β peptide induces autoimmune encephalomyelitis in C57/BL6 mice," <u>Brain</u> , 126:285-291 (2003).
388	GOLDFARB et al., "The Transmissible Spongiform Encephalopathies," <u>Ann. Rev. Med.</u> , 46:57-65 (1995).
424	GOLDSBY et al., "Vaccines," Chapter 18 from <i>Immunology</i> , 4th Edition, W.H. Freeman and Company, New York, pages 449-465.
397	GOLDSTEINS et al., "Goldsteins et al., Exposure of cryptic epitopes on transthyretin only in amypoid and in amyloidogenic mutants," <u>PNAS</u> , 96:3108-3113 (1999).
413	HOLTZMAN et al., "A β immunization and anti-A β antibodies: potential therapies for the prevention and treatment of Alzheimer's disease," <u>Advanced Drug Delivery Reviews</u> , 54:1603-1613 (2002).

Examiner
SignatureDate
Considered

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PTO/SB/08B (10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	09/724,319
		Filing Date	November 27, 2000
		First Named Inventor	Schenk
		Art Unit	1647
		Examiner Name	Nichols
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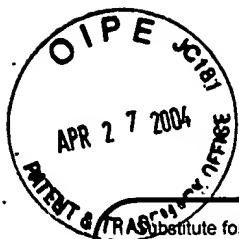
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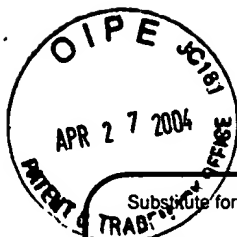
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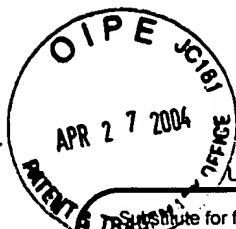
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